

Remarks

In this response, three claims (1, 8, 27) are amended; and three claims (38, 40-41) are canceled. Claims 1-10, 15-34, 37, 39, and 42 are presented for examination.

Claim Rejections: 35 USC § 102(b)

The pending claims are rejected under 35 USC § 102(b) as being anticipated by “eFlow: a Platform for Developing and Managing Composite e-Services (Casati). This rejection is traversed.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Casati neither teaches nor suggests each element in the rejected claims, these claims are allowable over Casati. Some examples for the independent claims are provided below.

Independent claims 1 and 27 recite numerous recitations that are not taught or even suggested in Casati. By way of example, each of these claims recites “different executions of the generic node result in a different subset of work nodes replacing the generic node and then being executed.” Casati is completely silent on this issue. Section 4.1 and Fig. 7 of Casati disclose that a generic node is replaced by a set of service nodes. Casati, however, never teaches that different executions of this generic node result in a different subset of service nodes replacing the generic node and then being executed.

Applicants respectfully argue that anticipation under section 102 can be found only if a single reference shows exactly what is claimed (see *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985)). For at least these reasons, independent claims 1 and 27 are allowable over Casati.

As another example, independent claims 1 and 27 recite “the generic node being executable more than one time while the workflow process is being executed.” Casati is completely silent on this issue. Section 4.1 and Fig. 7 of Casati disclose that a generic node is replaced by a set of service nodes. Casati, however, never teaches that this generic node is executed more than one time while the workflow process is being executed.

Applicants respectfully argue that for a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference (see *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990)). For at least these reasons, independent claims 1 and 27 are allowable over Casati.

Independent claim 8 recites numerous recitations that are not taught or even suggested in Casati. By way of example, claim 8 recites “executing the generic node more than one time while executing the workflow process.” Casati is completely silent on this issue. Section 4.1 and Fig. 7 of Casati disclose that a generic node is replaced by a set of service nodes. Casati, however, never teaches that this generic node is executed more than one time while the workflow process is being executed.

Applicants respectfully argue that anticipation is established only when a single prior art reference discloses each and every element of a claimed invention united in the same way (see *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444 (Fed. Cir. 1984)). For at least these reasons, independent claim 8 is allowable over Casati.

As another example, claim 8 recites “changing configuration of the generic node while the workflow process is being executed.” Casati is completely silent on this issue. Section 4.1 and Fig. 7 of Casati disclose that a generic node is replaced by a set of service nodes. Casati, however, never teaches that this generic node is changed while the workflow process executes.

Applicants respectfully argue that there can be no difference between the claimed invention and the cited reference, as viewed by a person of ordinary skill in the art (see *Scripps Clinic & Research Foundation v. Genentech Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991)). For at least these reasons, independent claim 8 is allowable over Casati.

CONCLUSION

In view of the above, Applicants believe all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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